

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INTERDIGITAL COMMUNICATIONS,
INC., a Delaware corporation,
INTERDIGITAL TECHNOLOGY
CORPORATION, a Delaware corporation,
IPR LICENSING, INC., a Delaware
corporation, and INTERDIGITAL
HOLDINGS, INC., a Delaware corporation,

Plaintiffs and Counterclaim
Defendants,

v.

NOKIA CORPORATION, NOKIA, INC., and
MICROSOFT MOBILE OY,

Defendants and
Counterclaim Plaintiffs.

Civil Action No.: 1:13-cv-00010-RGA

JURY TRIAL DEMANDED

**INTERDIGITAL'S MOTION TO DISMISS PORTION OF ITS COMPLAINT
PERTAINING TO THE '151 PATENT AND TO DISMISS DEFENDANTS'
DECLARATORY JUDGMENT COUNTERCLAIMS OF NONINFRINGEMENT,
INVALIDITY AND UNENFORCEABILITY RELATING TO THE '151 PATENT
PURSUANT TO FED. R. CIV. P 12(b)(1) AND 12(h)(3)**

Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(h)(3), Plaintiffs InterDigital Communications, Inc., InterDigital Technology Corporation, IPR Licensing, Inc. and InterDigital Holdings, Inc. (collectively “InterDigital”) respectfully move for dismissal of InterDigital’s Count I (Infringement of U.S. Patent No. 7,941,151 (“the 151 patent”)) and for dismissal of the following counterclaims: Defendants Nokia Corp., Nokia, Inc., and Microsoft Mobile Oy’s (“Defendants”) Eleventh Counterclaim (Declaration of Non-Infringement); Twelfth Counterclaim (Declaration of Invalidity); and Thirteenth Counterclaim (Declaration of Patent Unenforceability), as they relate to the ‘151 patent.

The grounds for this motion, which are explained in more detail in InterDigital's accompanying memorandum, are that (1) InterDigital has determined to dismiss Count I against all three Defendants and (2) InterDigital's dismissal of Count I and InterDigital's "Statement of Nonliability and Covenant Not to Sue," (Ex. A) which is concurrently being served on Defendants, eliminates any basis for Defendants' counterclaims related to the '151 patent and divests this Court of subject matter jurisdiction as a matter of law over those counterclaims as they apply to the '151 patent.

Dated: April 23, 2015

/s/ Neal C. Belgam

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